

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

Lataiz M. Stribling,

Plaintiff,

v.

Case No. 2:13-cv-813

Department of Rehabilitation
and Correction, et al.,

Defendants.

ORDER

This matter is before the court for consideration of the report and recommendation of the magistrate judge filed on March 10, 2014. The magistrate judge noted that plaintiff failed to submit the filing fee or a revised non-prisoner application for leave to proceed *in forma pauperis*, did not provide the appropriate summons and marshal forms, and did not respond to the court's order to show cause why this action should not be dismissed pursuant to Fed. R. Civ. P. 4(m) for failure to perfect service. The magistrate judge recommended that this action be dismissed without prejudice pursuant to Rule 4(m) for failure to timely effect service of process on the defendants.

The report and recommendation specifically advised the parties that the failure to object to the report and recommendation within fourteen days "will result in a waiver of the right to *de novo* review by the District Judge and waiver of the right to appeal the judgment of the District Court." Doc. 7, p. 2.

Noting that the time period for filing objections to the report and recommendation has expired and that no objections have been filed, the court adopts the report and recommendation (Doc. 7). This action is hereby dismissed without prejudice pursuant to

Rule 4(m) for failure to timely effect service of process on the defendants.

It is so ordered.

Date: April 8, 2014

s/James L. Graham

James L. Graham
United States District Judge